



Outdoor Access Code

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The Tiaki Promise

Tiaki means to care for people, place and culture

New Zealand is precious, and everyone who lives and travels here is responsible for looking after it.

The Outdoor Access Code supports the Tiaki Promise – a commitment to care for New Zealand for now and future generations. By following the Tiaki Promise, you are making a commitment to New Zealand. To act as a guardian, protecting and preserving our home.

This land tells the story of our people. This sky is our father, and this earth is our mother. This nature is part of us, and we are part of nature. When you travel through Aotearoa, New Zealand, you, too, are a part of this story. You, too, are part of this place.

Our outdoor heritage – access to rivers, beaches, forests and mountains – contributes to our quality of life, wellbeing, and environment.

But not all rivers, lakes, beaches, forests and mountains have public access to, along or around them. By respecting the land and the people who care for that land, we protect and promote the importance of public access for future generations.



TIAKI MEANS TO CARE
FOR PEOPLE AND PLACE.
THE TIAKI PROMISE IS A
COMMITMENT TO CARE
FOR NEW ZEALAND, FOR
NOW AND FOR FUTURE
GENERATIONS.

HOW TO CARE FOR NZ:



BE
PREPARED

Background to the Code

This code outlines how you can care for the land and its people when you are outdoors. It also outlines access rights and responsibilities for people visiting land and those who own or manage the whenua. It is not an authoritative statement of law on public access or private property rights.

Three fundamental principles underpin the Outdoor Access Code:

- taking personal responsibility for one's actions
- respecting the interests and rights of other people, and
- taking care of the environment.

Herenga ā Nuku Aotearoa supports people to access the outdoors. Many other NZ organisations support the Tiaki Promise by providing information on travelling safely and conscientiously – caring for our whenua and those who look after the whenua.

In this code, we share their resources, as well as our own, for outdoor access issues such as animal welfare, firearm safety and minimising impact on the environment.

- [Tiaki New Zealand](https://www.tiakineewzealand.com)



**DRIVE
CAREFULLY**



**KEEP NZ
CLEAN**



**PROTECT
NATURE**



**SHOW
RESPECT**

TIAKINEWZEALAND.COM | #TIAKIPROMISE

Being responsible

The Outdoor Access Code identifies eleven areas of responsibility and outlines actions for each one. It covers respecting other people's interests and caring for the environment.

1. **Caring for the environment**
2. **Staying safe**
3. **Respecting farms**
4. **Respecting forests**
5. **Tikanga Māori and Māori relationships with land**
6. **Fires**
7. **Dogs**
8. **Fishing and hunting**
9. **Motor vehicles**
10. **Mountain biking**
11. **Horses**

Most of the time, appropriate behaviour is common sense. This code provides information so that everyone can make informed decisions. This will help to avoid damage such as breaking a fence or disturbing stock, causing interference such as blocking a gate with a vehicle, or recklessly disturbing birds or other wildlife.

Being aware of other people and making room for them can help avoid conflicts between different outdoor pursuits, for example, walking, mountain biking and horse riding on the same track or fishing and boating in the same reach of a river.

Existing laws and by-laws cover many aspects of poor conduct, such as littering, vandalism and excessive noise. Landholders or access users who face serious or persistent anti-social behaviour should contact the Police or their local authority for advice.

Your obligations

- ✓ **Take responsibility for your actions**
- ✓ **Follow any reasonable advice offered**
- ✓ **Consider and respect other people**
- ✓ **Care for the environment**
- ✓ **Seek permission for access to private or Māori land**
- ✓ **Learn and respect tikanga Māori**
- ✓ **Know how to plan a safe trip**
- ✓ **Be aware of natural hazards and weather**
- ✓ **Get permits for hunting and fishing**

1. Caring for the environment

Public access to the outdoors connects us to te taiao, our unique natural world. New Zealand's nature is precious, and many of our native species are endangered or at risk. Remember to care for land, sea, and nature when you travel.

Public access ways, particularly on water margins, may have high values for native plants and animals. Damaging or removing plants and animals destroys part of the environment and is illegal in most parts of the country. Many areas are fragile and may take years to recover from damage.

- ✓ **Take your rubbish home.**
- ✓ **Use a loo when there is one. Otherwise, bury your waste in the recommended manner or carry it out in a compostable bag.**
- ✗ **Do not disturb stock or damage vegetation, wildlife, historic places, pasture or crops .**
- ✓ **Wherever possible, find a way around coastal and wetland plants, alpine herb fields and moss beds.**

- [Know before you go](#) (Department of Conservation)
- [Give wildlife space](#) (Department of Conservation)
- [Biosecurity in the outdoors](#) (Ministry for Primary Industries)
- [Toileting outdoors](#) (Department of Conservation)
- [Menstruation in the backcountry](#) (Department of Conservation)
- [Freedom camping with care](#) (Tourism Industry Aotearoa)

2. Staying safe

Exploring New Zealand's outdoors can be an adventure, but there are risks that you might not experience in other places. If you are leaving urban areas, some preparation can help you get the most out of your trip and keep yourself safe.

It is important that you know how to plan a safe trip before you leave. Be aware of natural hazards and weather that you may encounter. Keep a safe distance from farm and forestry machinery.

- [Plan My Walk](#) (MSC)
- [Outdoor safety skills](#) (MSC)
- [Weather forecasts](#) (Metservice)
- [Buy or hire distress beacons](#) (MSC)
- [Water quality and swimming conditions](#) (SafeSwim)

3. Respecting farms

Farms are private land and you need permission to access them. But many farmers are keen to showcase modern, innovative NZ farming by connecting people – locals and visitors – to traditional farm values of hospitality, openness and generosity.

- ✓ **Leave gates as you find them – open or closed**
- ✓ **Walk around, rather than through, crops**
- ✓ **Report damage, stock in difficulty, or anything suspicious to the land manager**
- ✗ **Do not disturb stock. Walk in single-file**
- ✗ **Do not climb unsupported fence wires – in the absence of a gate or stile, climb over at posts**
- ✗ **Do not block or obstruct gateways, tracks or entrances**
- ✗ **Do not feed farm animals**

4. Respecting commercial forests

Commercial forests are working sites and there are times such as when forest operations are taking place or there are elevated fire danger levels, when access can create high risks for people.

- ✓ **Access to some commercial forests requires a permit. Contact the forest owner in advance for a permit.**
- ✓ **Follow instructions on signs and barriers restricting access due to forestry work**
- ✗ **Do not light fires**
- ✗ **Do not cut, fell or remove any live or dead trees or other forest produce. Sometimes you may have a permit to do this – for example, in a Forest Stewardship Council forest where cultural harvest is permitted.**
- ✓ **Observe any restrictions, including those relating to driving, hunting and dogs**

5. Tikanga Māori and Māori relationships with land

This code provides general guidelines for people wishing to enter whenua Māori, but the authority for tikanga knowledge and application rests with respective mana whenua. There are variations in tikanga between iwi and hapū.

Tikanga whenua: guidelines for behaviour on Māori land

Whenua is the most valued resource – its special significance relates to Papatūānuku, the source of all creation.

The guidelines for appropriate behaviour on Māori land are known as tikanga whenua. Tikanga whenua is based on interconnectivity between people and the natural world through whakapapa. Knowledge about tikanga whenua helps ensure appropriate behaviour that does not cause cultural offence.

Tikanga can include provisions relating to

- respect for taonga,
- wāhi tapu
- complying with prohibitions on access or taking resources (rāhui),
- other Māori sites, customs and practices.

Check the tikanga for each place you visit, as there will be specific customs and requirements.

Responsible behaviour for access to Māori land

Māori land frequently has multiple owners but usually does not have public access rights. Seek permission from the owners or those they authorise, and request information about the relevant tikanga to be observed on that land.

You can cause cultural offence by 'haere pokanoa' (unauthorised wandering).

Seeking permission may not be straightforward. You may need the help of the Māori Land Court and tribal runanga to identify property boundaries, owners and appropriate contacts. Where Māori trusts or Māori land corporations own land, it is often possible to contact these entities directly. The Māori Land Information Base, Pātaka Whenua, provides information on Māori land that may assist in obtaining permission.

- [Pātaka Whenua](#) (Māori Land Court)

Wāhi tapu and rāhui on other land

In addition to Māori land issues, facilitating greater access for the public to either private or public lands can have consequences for Māori. There are examples where open public access has resulted in the desecration of taonga, such as wāhi tapu and sacred sites not identified on legal plans.

Tangata whenua must be free to reveal these locations and control this information as they see fit.

Access by Māori to taonga located on private land

It is important that mana whenua have access to taonga on private land. Some iwi authorities are working with private landowners to arrange better access to wāhi tapu and other taonga. This is an area where Herenga ā Nuku may help improve access, both through the use of existing access rights such as unformed legal roads and through negotiation and agreement with private landowners.

- [Marae information](#) (New Zealand Tourism)
- [Kawa](#) (Te Ara, The Encyclopaedia of New Zealand)

6. Fires

Being responsible with fire in the outdoors

Campfires have been part of the outdoors for a long time. However, they can cause lasting impacts and devastate forests, natural habitats and farmland. Where fires are permitted and appropriate, their impact should be minimised – for example, by using designated fireplaces, burning only dead wood, and ensuring that any fires are fully extinguished before leaving.

Fires are the responsibility of the people who light them. The cost of fighting out-of-control fires on rural lands can be passed on to the landowner or the person who caused the fire.

Limit outdoor fire risk

- ✓ **Be aware of fire bans and the higher fire risk during summer.**
- ✗ **Do not light fires without permission.**
- ✓ **You may need a permit for your fire.**
- ✓ **Keep fires small and efficient.**
- ✓ **Use existing fireplaces if possible.**
- ✓ **Use only dead wood. Select wood from riverbeds or areas where wood is plentiful.**
- ✗ **Never leave fires unattended.**
- ✓ **Make sure the fire is completely out by dousing it with water and checking that the ashes are cold.**
- ✓ **Dismantle the fire site and scatter unburnt wood before leaving the area.**

- [Can I light a fire?](#) (Fire and Emergency)

Fire seasons and fire permits

In New Zealand, there are three rural fire seasons:

1. **Open Fire Season:** no fire permit is needed to light a fire in the open air
2. **Restricted Fire Season:** a fire permit from the relevant Rural Fire Authority is required to light a fire in the open air. Failure to obtain a permit for a fire is an offence, and
3. **Prohibited Fire Season:** a total fire ban. Lighting fires is not permitted in the open air.

Rural Fire Officers may restrict all access to certain areas during extreme fire risk.

Changes to fire seasons are notified by radio announcements, newspaper advertisements, and on websites, or information is available directly from the relevant Rural Fire Authority. When restricted or prohibited fire seasons are in place, the Rural Fire Authority may also erect signs in the affected area.

Landholder liability

A landholder is not generally liable for suppression costs if someone else starts a fire on their land, even in cases where the responsible person cannot be located.

Suppression costs are only part of the potential losses that a rural fire can impose. There is also the possibility of loss of property, crops, or even human life. No matter how small the risk is, fires can have severe consequences. This is why many landholders will ban fires on their property.

7. Dogs

The right to walk with a dog, including hunting dogs, depends on the existing access. For example, if the access is by way of an unformed legal road, those using the access can do all the things that are lawful on a public road. Other forms of access may have restrictions on dogs. Private landholders may place whatever restrictions they consider appropriate on their land, including prohibiting dogs. The Dog Control Act 1996 applies to dogs on both public and private land.

If you have permission to take your dog with you, keep it under control:

- ✓ **Keep your dog on a short lead or under close control around farm animals.**
- ✓ **Pick up and remove your dog's faeces.**
- ✓ **If you take your dog to sheep farms, you should get it dosed for sheep measles.**
- ✗ **Do not let your dog frighten other people.**
- ✗ **Do not let your dog disturb birds or wildlife.**

Many landholders are concerned about dogs spreading diseases such as sheep measles and that dogs will worry stock. If dogs are not under proper control, they may frighten other people or disturb wildlife, such as nesting birds.

Always keep your dogs under proper control. They should not be allowed to frighten other people or disturb birds or other wildlife unless they are game and hunting is permitted. Dogs should be on a short

lead or under close control around farm animals. Dogs that have not been trained to behave around stock may become aggressive. Dog faeces must be picked up and removed.

- [Dogs on conservation land](#) (Department of Conservation)

8. Fishing and hunting

Permits

Fishing and hunting activities both require permits in addition to any permission required for land access.

Contact Fish and Game New Zealand or the various regional Fish and Game Council for permit information.

- [Fish and Game New Zealand](#)

Land access

Except where an easement or other legal access exists, there is no legal right of access either to private land or across private land to public land for the purpose of sports fishing or game hunting. Landholders do not have any special rights to fish or hunt on their property, except that, unlike other anglers and hunters, they do not need to hold a current fishing or hunting licence.

The right to carry firearms or to take dogs depends on the existing access rights. For example, if the access is by way of an unformed legal road, then people using that access will be able to do all of the things that are lawful on a public road. That would generally include the right to carry a firearm but may not include the right to use a firearm. Other forms of legal access may have more restrictions on carrying and using guns.

Carrying a gun and hunting

Even though you may have a legal right to carry a firearm in a particular place, recognise how others may feel:

- ✓ **Get permission before shooting**
- ✓ **Always observe the Firearms Safety Code**

Sports fishing is governed by the Conservation Act 1987, and hunting is governed by the Wildlife Act 1953. These statutes prohibit the sale of sports fish and game and the sale of sports fishing and game hunting rights. Regulation 19 of the Freshwater Fisheries Regulations 1983 says that having a licence to fish does not give a right of entry upon the land of any person.

A hunting licence does not give the licence holder authority to hunt or kill game on any land without the landholder's consent.

Hunting requires both the carrying and use of firearms, which are two separate issues. The safe use of firearms is controlled by the Arms Act 1983, which the New Zealand Police administer. The law generally relates to being reasonable and safe.

Offences include:

- Careless use of a firearm, airgun, pistol or restricted weapon
- Discharging a firearm, airgun, pistol or restricted weapon in or near a dwelling house or public place to endanger property or to endanger, annoy or frighten any person
- Carrying a loaded firearm (whether in its breech, barrel, chamber or magazine) in or on a motor vehicle, on the road or in any place to which members of the public have a right of access.

The Arms Code is a firearms safety manual issued by Firearms Safety Authority Te Tari Pūreke.

- [Firearms Safety Authority](#) Te Tari Pūreke
- [Firearms safety](#) (Mountain Safety Council)

To carry a firearm, you need to know the public access rights associated with the land you are on. [WAMS maps](#) show the public access areas (PAA) on various land types and easements. Each type of PAA has different rights of access associated with it. Some provide for walking only, others for other access types, such as the right to carry a gun or hunt.

- [Carrying a gun](#) (Herenga ā Nuku)

9. Motor vehicles

Generally, you cannot use motor vehicles on formed walking and biking tracks. Even where vehicle access is legally allowed, such as on an unformed legal road, it is polite to inform the adjoining landholder, especially where the access crosses unfenced forestry or farmland. Vehicles should keep to formed tracks, where access is allowed.

Many unformed legal roads are unsuitable for the use of motor vehicles.

It is an offence to damage a road's surface – this can include the turf of a paddock.

Motor vehicles can be much more intrusive than walking or cycling

- ✓ **Make sure you say you will use a motor vehicle when you seek permission.**
- ✗ **Do not use a motor vehicle where it is not allowed.**
- ✓ **Even where vehicle access is legally allowed, such as on an unformed legal road, it is polite to inform the adjacent landholder, especially where the access crosses unfenced farmland.**
- ✓ **Keep strictly to formed tracks and do not cause damage.**
- ✓ **Minimise vehicle damage, such as deep ruts.**
- ✗ **Do not leave vehicles where they block or obstruct gateways, tracks or entrances, and**
- ✓ **Note that formed tracks may not necessarily be on the line of the legal road**

10. Mountain biking

Mountain biking is a recreation that most people can enjoy regardless of age and ability. That's why it is so popular. We are lucky in New Zealand to have access to many off-road tracks close to our cities and towns and wide bikeable open spaces. But in many cases, mountain bikers share these places with others, horses, walkers, trampers and joggers. Riding safely and respecting others' right to enjoy their pursuits is important.

- ✓ **Ride mountain bike and multi-use tracks only.**
- ✓ **On multi-use tracks give way to walkers or horses. Even on mountain bike-specific tracks, respecting others will foster a positive attitude towards bikers.**
- ✓ **Pass with care. Let others know of your presence well in advance, clearly calling what side you plan to pass on. Being startled will upset even the most tolerant walker.**
- ✓ **Get permission. Check if permission is required from landowners before heading out.**
- ✓ **Avoid skidding. It lessens your control and damages the track surface.**
- ✓ **Stay on track.**
- ✓ **Control your speed. Your speed should be determined by the terrain and your skill. Remember, there could be a fallen tree, walker, or another rider around any corner.**
- ✓ **Avoid delicate vegetation and soft surfaces when wet.**

- [Mountain Bikers' Off-Road Code](#) (from the book *Classic New Zealand Mountain Bike Rides* by the Kennett Brothers)



11. Horses

Many objections to horses on tracks and trails are unfounded. Native plants are generally safe from horses. Responsible horse riders usually actively discourage their horses from browsing while being ridden and are cautious about letting them eat anything they do not recognise. Horse riding and stock are usually compatible. Horse manure is only grass, and studies show that manure on trails does not spread weeds. Horses' hooves are no more likely to spread weeds than walkers' boots, cyclists' wheels or vehicles.

There is no practical way to scoop up or remove manure while riding or leading a horse along a trail. However, riders should make every practical effort to ensure manure does not litter public areas, especially around parking areas.

- ✓ **Give way. If the trail is narrow, slow down when approaching other trail users and prepare to stop.**
- ✓ **Allow faster traffic to pass and be courteous to slower traffic.**
- ✗ **Don't assume other trail users will know how to behave around a horse.**
- ✓ **Make sure you are allowed a dog with you before taking one with you when riding.**
- ✓ **If you have a dog with you while riding, you must always keep it under close control.**
- ✓ **Keep to marked trails if they are provided.**
- ✓ **When paddocks or trails are soft, keep your speed down so you do not leave a muddy mess.**
- ✓ **Take home your litter and clean up manure. Use bins if they are provided. Be particularly aware of manure in areas accessed by non-riders.**
- ✗ **If you use a horse truck or float, please do not clean it out, making a mess of the parking area. If there are manure bins provided, use them. If not, take your manure home in a bin or dispose of it where it will not annoy others.**
- ✓ **Avoid weed spread when visiting native reserves or parks. Clean out horses' hooves and ensure hayseeds are not carried onboard your truck or float. Take only lucerne hay if requested.**
- ✓ **Avoid sensitive historical, natural or archaeological areas.**
- ✓ **Wear a standards-approved riding helmet whenever you ride.**

- [The Bridleways Code](#) (NZ Horse Network)

Access rights and privileges

The Outdoor Access Code is relevant to both public and private land. It applies to all land access, whether over legal access ways, negotiated public access over private land, or access over private land by permission.

Legal public access to the outdoors is covered by many statutes. It is difficult to know exactly where there is public access or private land with no access. For example, a river may have sections where there is public access and other parts where there is no legal access. Tracks shown on maps, including the NZ Topographic Map 1:50,000 series, are not necessarily public.

Responsible behaviour in the outdoors includes being aware of the fragmented nature of public access and seeking permission to go onto fenced-off or private land.

Public land

If land is publicly owned that usually means it also has public access. Places with outdoor access include:

- Most national parks, reserves and other conservation lands
- Legal walkways
- Legal roads (including unformed legal roads). Adjoining landholders cannot obstruct access to unformed legal roads.
- Public access easements across private land
- Marginal strips along waterways under the Conservation Act
- Most beaches are public, but some foreshore is private

Private land

When land is privately owned, we need to respect private property rights. We must also ensure that the rights of the public are not unfairly impeded.

Access frequently relies on landholders' goodwill in allowing people to cross their land. Herenga ā Nuku aims to reduce conflict by promoting good behaviour so land users and land managers can understand and respect each other.

Many people have not spent time on farms or in forests. They may not know how to respect farm livestock and rural property.

Because formal public access to and along lakes, rivers and the coast is fragmented, many people do not know when they need permission to cross private land to reach the water.

When asked, many land managers readily allow access. Landholders receive many benefits from allowing public access on their land, such as sharing their corner of Aotearoa with their community, providing spaces for recreation and wellbeing, and contributing to their community infrastructure. However, this access is a privilege, and landholders can refuse or apply conditions to access.

Landholders and managers need to recognise, that in places, there are public rights of access, such as unformed legal roads, esplanade reserves and marginal strips, even though these may not be fenced, and exact locations can be hard to determine.

GET PERMISSION

If land is fenced off or appears to be private and there are no signs indicating access, then ask for permission.

There may be valid reasons for land managers to deny access, such as lambing, tree felling or mustering. Accept refusals with good grace.

If you want to use a vehicle or take a dog or firearm, make this clear when seeking permission.

- [Crossing private land](#) (Herenga ā Nuku)
- [View areas of legal public access](#) (Herenga ā Nuku maps)

REFUSING ACCESS

Generally, landholders can refuse access to their land, even if such access may have been traditional and the request seems reasonable. A reason does not have to be given. Some exceptions include where public access easements, rights of way, esplanade strips or access trips exist. In these instances, the land is owned privately, but there is legal provision for public access.

Landholders cannot block access to land that adjoins their land, such as unformed legal roads or marginal strips.

Landholders have the right to apply conditions to access, including charges. However, selling fishing rights for sports fish and hunting rights for game birds is prohibited.

Before allowing access for recreation, most forestry companies in New Zealand require users to have public liability and firefighting insurance. Some national sports and recreation organisations carry such cover for their members. Most forestry companies also require recreational users to obtain an access permit to ensure the company has the user's contact details and can provide information about fire risks, forestry operations and other hazards.

Land managers

If you have authority as a landowner or manager to grant access to land:

- ✓ **Respond reasonably when people ask permission for access. Explain the reasons for any conditions.**
- ✓ **Respect people's rights to public access, such as using unformed legal roads, marginal strips, public access easements, rights of way, access strips and esplanade strips.**
- ✓ **Unformed legal roads may be unsurfaced, unfenced and indistinguishable from surrounding land, but they still have the legal rights and obligations of formed roads.**
- ✓ **Advise visitors of out-of-the-ordinary hazards from farm or foresting activities, such as tree felling or blasting.**
- ✓ **Work with your local council and others to help manage access issues and safety.**
- ✓ **Respect sites of Māori cultural significance such as wāhi tapu. Work with mana whenua.**
- ✓ **Work with recreation groups and local authorities to help everyone behave with care.**

Landholder liability

Accident Compensation

All New Zealanders and visitors to New Zealand who get injured are covered by the no-fault accident compensation scheme ACC. In return, people do not have the right to sue landholders or others for injuries (other than for exemplary damages – damages awarded to punish or make a public example of the party at fault). This applies to overseas tourists too.

Health and Safety liability

Landholders are not legally liable for the health and safety of visitors who use their land, other than customers of their business, so long as they warn visitors of workplace risks they would not normally expect to encounter.

- [Obligations of landholders towards recreational visitors](#) (Herenga ā Nuku)

Other liability

There may be landholder liability under the Occupiers Liability Act 1962. The extent of liability under this act is unclear. Still, the Walking Access Act (s66) limits landholder liability for loss or damage suffered using walking access on private land or gazetted walkways. This exemption does not apply to any loss or damage caused by a landholder's deliberate act or omission.

Trespass

If somebody interferes with a landholder's rights by being on their land, there are remedies under the Trespass Act 1980. Disturbing domestic animals, setting traps, shutting an open gate and opening a closed gate on private land are all trespass offences. These provisions do not, of course, apply to publicly accessible land.

- [Trespass notices](#) (Police)



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TIAKI PROMISE

WHILE TRAVELLING IN NEW ZEALAND I WILL



CARE FOR LAND, SEA AND NATURE,
TREADING LIGHTLY AND LEAVING NO TRACE



TRAVEL SAFELY, SHOWING CARE
AND CONSIDERATION FOR ALL



RESPECT CULTURE, TRAVELLING
WITH AN OPEN HEART AND MIND



HOW TO CARE FOR NEW ZEALAND



PROTECT
NATURE



KEEP NZ
CLEAN



DRIVE
CAREFULLY



BE
PREPARED



SHOW
RESPECT